Supreme Court, U.S.
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NO. 90-1875

IN THE SUPREME COURT

OF THE UNITED STATES

October Term 1991

EUGENE C. BARD, et al., Petitioner

vs.

DONALD L. CROCKETT, et.al.,Respondent[1]

PLAINTIFFS' OPPOSITION AND BRIEF IN OPPOSITION TO JOINT RESPONDENTS'[2] MOTION FOR RELIEF FROM COMPLIANCE WITH SUPREME COURT RULE 29.1

Eugene C. Bard, pro se Eugene C Bard

James F. Bard, pro se, James F Bard

Max L. Bard, pro se Max L Bard

d/b/a Bard and Bard Company

correspond with Max L. Bard

Rt. 1, Box 74

1-918-678-2464 Wyandotte, OK. 74370

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PLAINTIFFS' OPPOSITION AND BRIEF IN OPPOSITION TO JOINT RESPONDENTS' MOTION FOR RELIEF FROM COMPLIANCE WITH SUPREME COURT RULE 29.1

Plaintiffs move the Court for an order requiring respondents to comply with the requirements of Supreme Court Rule 29.1.

Supreme Court Rule 29.1 requires every document, except a joint appendix or brief amicus curiae, filed by or on behalf of one or more corporations, shall include a list naming all parent companies and non-wholly owned subsidiaries of each corporation.

Petitioners petition does present a question worthy of the court's attention, so that clarity and predictability in RICO civil applications can be assured among the several circuits.

Compliance with Supreme Court Rule 29.1, by these joint respondents is not an undue burden since their subsidiaries and parent companies are maintained on their computerized accounting records, and are reportable within minutes by the push of the key.

More importantly, on the all important question concerning the sufficiency of petitioners allegations of "enterprise", in their cause of action against Respondents, now before the Court, associations and relationships of various persons and entities, could tend to disclose the substance of what the "enterprise" includes and consist of, among these respondents.

For the above reasons Respondents respectfully request the Courts' ordering respondents to comply with Rule 29.1, by overruling Joint Respondents' motion for relief from compliance with Rule 29.1.

Respectfully submitted,

EUGENE C. BARD

JAMES F. BARD

MAX L. BARD d/b/a

BARD AND BARD COMPANY

by: Eugene C. Bard

EUGENE C. BARD, Pro Se

by: James F. Bard

JAMES F. BARD, Pro Se

by: Max L. Bard

MAX L. BARD, Pro Se

Correspond with * MAX L. BARD, Pro Se

Rt. 1, Box 74

Wyandotte, OK 74370

1-918-678-2464

APPENDIX

Footnote 1

A full respondent list was presented on the original Petition for Writ of Certiorari.

Footnote 2

List of Joint Respondents

1. Mobil Corporation and parent Company
2. Mobil Oil Corporation;
3. Tri Angle Refineries, Inc. and parent Company
4. Kerr McGee Corporation;
5. Total Petroleum, Inc.;
6. First National Mercantile Bank and Trust Company and parent Company
7. Mercantile Bancorporation, Inc.;
8. Phillips Petroleum Company;
9. Exxon Corporation;
10. Coastal Derby Refining Company;
11. Coastal Refining and Marketing, Inc.;
12. Texaco, Inc.